IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.48503 of 2008
BUDHIYAR SAO @ BUDHIYAR SAH … … Petitioner
Versus
THE STATE OF BIHAR … … Opp. Party
For the petitioner: Shri Vivekanand Singh
For the State: Shri Dashrath Mehta., APP
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2. 5.12.2008 Heard.

The recovery is of one country made pistol from the possession of the petitioner along with the live cartridges.

The defence is of innocence and false implication and that there is no criminal antecedent of the petitioner.

Regard being had to the fact that effective arms were recovered from the possession of the petitioner, I am not inclined to direct the release of the petitioner.

The petition is dismissed.

However, as and when the petitioner completes one year of confinement without the trial being concluded, the court below shall itself release the petitioner on his furnishing a bond to its own satisfaction.

(Dharnidhar Jha, J.)

Kanth

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